

6/23/2017 4:45 pm
For Online Publication Only
U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MICHELE PRISCO,

Plaintiffs,
-against-

AIR INDUSTRIES GROUP, ET AL,

Defendants.

-----X
AZRACK, United States District Judge:

ORDER ADOPTING REPORT
AND RECOMMENDATION
15-CV-7340 (JMA)(AYS)

Plaintiff Michele Prisco brought this lawsuit against defendants Air Industries Group, Welding Metallurgy, Inc., Peter D. Rettaliata, and Gary Settoducato, advancing claims of employment discrimination. Defendant filed a motion to dismiss the complaint, and plaintiff filed a cross-motion to amend the complaint. The Court referred both motions to the Honorable Anne Y. Shields, United States Magistrate Judge, for a report and recommendation. In a Report and Recommendation dated June 8, 2017 (“the R & R”), Magistrate Judge Shields recommended that the motion for leave to amend be denied.

No party has objected to the R & R, and the time for doing so has passed. When deciding whether to adopt a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y.2011) (internal quotation marks and citation omitted). The Court has reviewed the record and, finding no clear error, adopts the R & R as the opinion of the Court. The Court denies plaintiff’s motion for leave

to amend.

A telephone conference before the Court is hereby scheduled for 11:45 AM on Thursday, June 29, 2017. Counsel for defendants is directed to initiate the conference call and, when counsel for all parties are on the line, contact the Court at 631-712-5600.

SO ORDERED.

Date: June 23, 2017
Central Islip, New York

/s/ (JMA)
Joan M. Azrack
United States District Judge